

ed, and that this act take effect and be in force from and after its passage, and it is so enacted.'"

The amendment was read, and adopted.

Bill was read second time, and ordered engrossed.

On motion of Senator Savage, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—23.

Brachfield.	Henderson.
Davidson of	Hicks.
DeWitt.	Hill.
Decker.	Lipscomb.
Douglass.	Martin.
Faubion.	Mills.
Faulk.	Morris.
Faust.	Patteson.
Grinnan.	Perkins.
Hale.	Savage.
Hanger.	Sebastian.
Harper.	Stafford.

Absent.

Cain.	McKamy.
Davidson of	Paulus.
Galveston.	Wilson.
Harbison.	

Absent—Excused.

Beaty.	Willacy.
--------	----------

Bill was read third time, and passed by the following vote:

Yeas—23.

Brachfield.	Henderson.
Davidson of	Hicks.
DeWitt.	Hill.
Decker.	Lipscomb.
Douglass.	Martin.
Faubion.	Mills.
Faulk.	Morris.
Faust.	Patteson.
Grinnan.	Perkins.
Hale.	Savage.
Hanger.	Sebastian.
Harper.	Stafford.

Absent.

Cain.	McKamy.
Davidson of	Paulus.
Galveston.	Wilson.
Harbison.	

Absent—Excused.

Beaty.	Willacy.
--------	----------

Senator Savage moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

Senator Hale moved to suspend pend-

22—S

ing business (House bill No. 30), and take up Senate bill No. 128.

The motion was lost.

ADJOURNMENT.

Senator Sebastian moved to adjourn until 4:30 o'clock p. m., Tuesday, February 24th inst., and at 11:40 o'clock a. m., the Senate adjourned.

TWENTY-SIXTH DAY.

Senate Chamber,
Austin, Tex., Tuesday, Feb. 24, 1903.

Senate met pursuant to adjournment. President Pro Tem. Davidson of Witt in the chair.

In the absence of the Secretary and Assistant Secretary, C. H. Allen was appointed to call the roll.

Roll call. No quorum present, the following Senators answering to their names:

Beaty.	Henderson.
Cain.	Hill.
Davidson of	Martin.
DeWitt.	Mills.
Faulk.	Patteson.
Grinnan.	Savage.
Hanger.	Sebastian.
Harbison.	Willacy.
Harper.	

Absent.

Brachfield.	Hicks.
Davidson of	Lipscomb.
Galveston.	McKamy.
Decker.	Morris.
Douglass.	Paulus.
Faubion.	Perkins.
Faust.	Stafford.
Hale.	Wilson.

On motion of Senator Henderson, the Senate, at 4:40 p. m., adjourned until 10 o'clock tomorrow morning.

TWENTY-SEVENTH DAY.

Senate Chamber,
Austin, Tex., Wednesday, Feb. 25, 1903.

Senate met pursuant to adjournment. President Pro Tem. Davidson of DeWitt in the chair.

Roll call. Quorum present, the following Senators answering to their names:

Beaty.	Faulk.
Brachfield.	Faust.
Cain.	Grinnan.
Davidson of	Hale.
DeWitt.	Hanger.
Douglass.	Harbison.

Harper.	Morris.
Henderson.	Patteson.
Hicks.	Perkins.
Hill.	Savage.
Lipscomb.	Sebastian.
Martin.	Willacy.
Mills.	Wilson.

Absent.

Davidson of	McKamy.
Galveston.	Paulus.
Decker.	Stafford.
Faubion.	

ROLL CALL OF OFFICERS AND EMPLOYEES.

Present.

Clyde D. Smith.
 W. E. DeLamar.
 R. M. Gilmore.
 Amos Wynne.
 W. M. Cobb.
 Eldred McKinnon.
 Mrs. Laura V. Grinnan.
 F. P. Smith.
 Miss Lucy Lane.
 C. H. Allen.
 D. F. Hughes.
 Frank Mullins.
 C. J. Kirk.
 Rev. I. S. Davenport.
 Miss May Fant Odom.
 J. C. Son.
 Miss Georgia Sturgiss.
 Mrs. Hattie Yarbrough.
 Mrs. Hope H. Hawkins.
 Miss Emily Holcomb.
 Mrs. J. R. Van Orden.
 Miss Bessie Goldstein.
 W. T. Pace.
 W. A. Shaw, Jr.
 Lucian Goss.
 J. A. Chaffe.
 Charlie Lane.
 Willie Gibson.
 Henry Paulus.
 Everett Thornhill.
 Walter Savage.
 Jas. Sebastian.
 Willie Gray.
 Jamie Snipes.
 Ed. Underhill.
 John Durst.
 Will Bartley.
 Reed Pierson.
 Dan Edwards.
 Josh Pyles.
 Ellis Monroe.
 Albert Hill.
 Marx Marsh.

Prayer by the Chaplain, Rev. I. S. Davenport.

Pending the reading of the Journal of yesterday,

On motion of Senator Faulk, the same was dispensed with.

PETITIONS AND MEMORIALS.

Senator Mills offered the following memorial:

Waco, Texas, February 22, 1903.

Senator Mills.

DEAR SIR: We, the undersigned, earnestly entreat you to oppose the amendment offered by Davidson of DeWitt and Hicks to Section 13 of the existing medical law now before the Senate, as bill No. 175. If this amendment becomes a law, it will be an unjust law and directly oppose the teachings of Jesus Christ and the Constitution of the United States, which says "equal rights to all citizens." Let those who wish drugs have them, but let not those who do not wish them be forced to use the same, for those who do not use drugs know a better way, through the grace and love of God, to heal suffering humanity.

Yours for justice,

B. F. Lowry.
 Mrs. L. L. Lowry.
 G. T. Johnson.
 A. F. Gauss.
 Mrs. J. Gauss.
 Mrs. L. A. Morison.
 J. E. Raxton.
 M. S. Stanford.
 Mrs. E. A. Stanford.
 Mrs. Bertha McDaniel.
 H. W. McDaniel.
 Mrs. M. E. Farmer.
 M. D. Richards.
 Mrs. Nellie Richards.
 Mrs. A. J. Paxton.
 Mrs. L. B. Clarke.
 Mrs. G. E. Jones.
 Mrs. R. T. McAllister.
 Ella Chilton.

Senator Faulk offered the following resolution:

Resolution of the Dallas Commercial Club against the Bryan quarantine bill:

Dallas, Texas, February 20, 1903.

To the Senate and House of Representatives of the Twenty-eighth Legislature of Texas:

Whereas, There is now pending before your honorable bodies a measure known as the Bryan Quarantine Bill, introduced in the House of Representatives by the Hon. W. J. Bryan, of Taylor county, which provides for a radical departure from the present quarantine law, in that cattle can pass from the fever-infected district south of the present quarantine line across said line for two months of the year without any inspection whatever, whether infected with the splenic fever or not; and

Whereas, The present quarantine law, vesting the power to fix any quarantine

line in the Live Stock Sanitary Commission, composed of three well-informed cattlemen appointed by the Governor, and further providing that the quarantine line fixed by said Commission must conform to the quarantine line established by the United States government, and providing further that said Commission may quarantine any herd of cattle or any pasture containing diseased cattle at any time that they may be convinced of the necessity of such action in order to protect cattle that are free from disease and in order to prevent the spread of contagious diseases among cattle, has been in successful operation for the last ten years, and has been of immeasurable benefit to the cattle industry of Texas by confining the splenic fever to that section of the country to which it is indigenous and a natural condition; and

Whereas, We are convinced that the proposed change in the present quarantine law would be unwise, injurious and harmful to the immense cattle industry of Texas situated north of the quarantine line; and

Whereas, The experiments carried on by the Bureau of Animal Industry of the United States government and by the various experimental stations of the different States has proven that the deadly splenic fever is transmitted from Southern to Northern cattle by means of what is known as the Southern tick; and we are convinced that a bill allowing this tick to be carried at will into the uninfected district north of the quarantine line would be a disastrous measure to the general interests of the State of Texas at large, and more especially to the millions of dollars invested in cattle business north of the quarantine line; and

Whereas, We think there is no doubt that the United States government, in the event of the passage of this bill, would quarantine the entire State of Texas, thus cutting off the cattle of the Panhandle from the grazing grounds of Montana and the Dakotas and the feeding lots of the corn belt, and limiting the sale of all range steers to the great packers and cannors of Chicago, St. Louis and Kansas City; and

Whereas, We are assured that the loss among Northern cattle on account of the open season provided for in the Bryan bill may, at a conservative estimate, amount to from ten to twenty-five per cent. of cattle above the quarantine line; therefore, be it

Resolved by the Dallas Commercial Club, That we respectfully petition your honorable bodies not to pass this measure, but to allow the present quarantine

law to remain in full force and effect without any material change. And we earnestly ask all Senators and Representatives to oppose the Bryan quarantine bill.

DALLAS COMMERCIAL CLUB,
CHARLES STEINMANN,
President.

JNO. G. HUNTER,
Secretary.

Senator Faulk also offered a memorial by Board of Regents of the Girls' Industrial School for a dormitory.

Read, and referred to Committee on Education.

Senator Faulk also offered the following:

Beaumont, Texas, February 23, 1903.

Hon. J. J. Faulk, Senator, Austin, Texas.

MY DEAR SIR: Permit us, in the interest of the women and children and rising youth, the young married men, and in fact many others, to call your attention to the destruction, degradation and destitution that the pool rooms in Texas are bringing on the people.

While all gambling is bad, this seems to be the worst form of gambling, as it is done openly and above board, and seems to be very attractive.

There are about twelve or thirteen pool rooms in Texas, located in the larger cities. The people in the small towns and the country have not yet learned of their damaging effects to the State at large. We are reliably informed that the Western Union Telegraph Company's receipts at Beaumont are worth \$250 per day to the company. Just think of that amount going out of one town for the benefit of a corporation entirely out of the State. We are also reliably informed that more than \$100,000 per year has gone out of Beaumont since the two pool rooms started here. It is only recently that one of the pool room managers bought a hotel at Fort Worth, for which he paid \$75,000 cash. The life blood of the rising youth is being sapped. Many cases of abject charity are being traced to the pool rooms. We beg of you to do all that is possible to stop the pool rooms in Texas.

We understand that the bill introduced by Representative Curtis Hancock, of Dallas, is a good bill. We, therefore, beg you to try and have the bill passed and let it become a law at once—the quicker the pool rooms are stopped the better. We understand that there is an opposition bill which advocates the taxing of pool rooms, and in this connection beg to say that the State of Texas does not need money bad enough

to fill the gamblers pockets and rob the women and children; besides, if it comes to a question of taxation, the pool rooms could pay \$200 per day and still run and make money.

Trusting that you will lend all your energies in the direction of elevating the women and children and the rising youth of Texas in preference to pool rooms and men who are breeding fast horses,

Yours very truly,

W. WIESS.

Senator Mills offered the following memorial:

Lott, Texas, February 21, 1903.

Hon. Seth P. Mills:

We, the undersigned citizens of Falls county, would most respectfully request that you support the House bill No. 20, known as the "Open Season" quarantine bill, when the same reaches the Senate,

Yours very truly,

E. A. Tomlinson.

E. R. Hogdes.

J. W. Lawless.

P. D. Henry.

P. H. Henry.

Geo. H. Gassaway.

E. F. McCreary.

J. F. Priest.

J. D. Storey.

M. C. Fields.

W. C. Golding.

T. F. Glass.

J. Q. Adams.

Geo. A. Hodges, Jr.

Nick Stallworth.

C. S. Jackson.

John C. Peevey.

V. H. Moore.

D. M. Garrett.

T. H. Ligon.

W. G. Williams.

J. W. Tabor.

E. C. Gordon.

S. F. Stallworth.

J. H. English.

W. T. Barnes.

J. G. Ruble.

B. L. Barnes.

J. A. Williamson.

A. F. Ferguson.

J. W. Barnes.

D. W. Jones.

J. A. Snodgrass.

D. J. McLean.

J. G. Jordan.

W. W. Ward.

R. P. Watts.

J. O. Mecklin.

A. B. Hemphill.

B. F. Barlow.

Senator Brachfield offered the following memorial:

Hon. Charles L. Brachfield, Senate Chamber, Austin, Texas.

SIR: We have been informed that Senate bill No. 175, now pending in the Senate, is intended to so amend the Act of 1901, regulating the practice of medicine, as to omit from Section 13 the following: "Provided, that the provisions of this act do not apply to persons treating diseases who do not prescribe or give drugs or medicine."

This proviso was incorporated in the law for the express purpose of exempting from criminal prosecution Christian Scientists, who relieve the sick and suffering without the use of drugs and medicine, but by following the teachings of Jesus Christ.

We, the members of the First Church of Christ, Scientist (Christian Scientists), earnestly ask and urge upon you as our Senator to so use your good offices that in the event the Legislature pass a law on the subject, the proviso above quoted may be re-enacted; and to justify us in this petition, we respectfully quote from the Constitution of the State of Texas as follows: "All men have a natural and indefeasible right to worship Almighty God according to the dictates of their own conscience. * * * No human authority ought, in any case whatever, to control or interfere with the rights of conscience in matters of religion, and no preference shall ever be given by law to any religious society or mode of worship. But it shall be the duty of the Legislature to pass such laws as may be necessary to protect equally every religious denomination in the peaceable enjoyment of its own mode of public worship"

E. P. Wilson.

Laura J. McGee.

Mrs. Julia B. Hall.

Mrs. R. F. Harrell.

Mary Starr.

Pamela O. Starr.

Ruth Starr.

Hattie S. Spillings.

Mrs. Will Powell.

Mrs. Naomi Wheatt.

Mrs. S. A. Cole.

Mrs. N. R. Phillips.

Mrs. S. L. Jemison.

Mrs. Mary Gibson.

Mrs. Mary L. Whitney.

Mrs. Sallie Starr McGee.

Anna E. Alford.

Mrs. Laura E. Connors.

Mrs. Addie Alford.

Miss Addie Mae Alford.

Miss Eugenia Alford.

Miss Linda Alford.

J. P. Alford.

Clara C. Starr.

Clara S. Pope.
Naomi Gibson.
Nettie Gibson.

Senator Davidson of DeWitt offered the following petitions:

To the Honorable Senate and House of Representatives of the State of Texas:

We, the undersigned citizens of Southwest Texas, would respectfully protest against the passage of the bill now pending before your honorable bodies to amend the present law regulating the quarantining of live stock, etc. We would respectfully represent and show unto your honorable bodies that we are largely engaged in raising live stock in the southwestern portion of this State, and we are largely dependent upon the Indian Territory for an outlet for our cattle, and as a place for the development of our cattle for market, and quite a number of us are interested in pasture lands in the Territory, and we would further show unto your honorable bodies that should the pending bill become a law (as we understand it) it would practically repeal the present law, and would make an open season the whole year instead of sixty days as it now stands. This would provoke hostile legislation by other States and Territories, and thereby our cattle would be entirely shut out, and besides the Federal quarantine line will be moved to the Texas border. This would result in great injury to the entire stock interest, and practically destroy a great portion of the cattle-growing interest of Texas. We therefore ask that you refuse to pass the bill.

Respectfully,

Winn Traylor.
Ross L. Clark.
J. A. Willimin.
Chas. G. Low.
J. W. Kay.
J. H. Fleming.
H. J. Owen.
Authur Weber.
J. K. Hexter.
G. A. Levi.
P. R. Austin.
J. D. Mitchell.
F. L. Buckler.
J. W. Henderson.
Theo. Buhler.
M. O'Connor.
J. O'Connor.
E. J. Winson.
T. O'Connor, Jr.
Irion Kibbe.
W. T. McCampbell.
T. M. O'Connor.
F. B. Lander.
B. F. Williams.
E. C. Kauffmann.

H. C. Stoner.
W. L. Stoner.
A. W. Pickering.
F. J. Allnoch.
S. Goodman.
V. E. Goldman.
L. F. Hallen.
H. C. Graman.
J. D. Jamison.
L. G. Kreisle.
W. M. Seeligson.
Wesley A. Rape.
Jules C. Levy.
Ben W. Fly.
W. C. Heath.
Otto Filts.
L. J. Schubert.
D. H. Bramon.
Willis McCutcheon.
J. L. Lockett, Jr. (not stockman).
E. M. Shaw.
F. C. Proctor.
J. M. McCauley.
W. W. McCutcheon, Jr.
B. B. McCutcheon.
Chas. E. Martin.
C. F. Carsner, manager of D. M. O'Connor estate.
R. H. Winson.
L. T. Jecker.
E. H. Clark.
Simon Levy.
J. G. Rose.
J. F. Hart.
J. M. Brownson, president First National Bank.
George H. Heck.
Frank Alonso.
N. Cohen.
Jno. F. Hollman.
J. J. Welder.
T. P. Traylor.

Victoria Texas, February 23, 1903.

Hon. A. B. Davidson, Austin, Texas.

DEAR SIR: We, the undersigned physicians of Victoria, have had our attention called to Senate bill No. 175, already ably advocated by yourself, and to the following amendment introduced by Senators McKamy, Hanger and Savage: "Provided, that the provisions of this act do not apply to persons treating disease who do not prescribe or give drugs or medicine."

As regular physicians, and by virtue of our profession, guardians of the public health, we wish to say that we think the adoption of this amendment would be highly prejudicial to the interests of the people and would largely emasculate the bill. We hope you will not regard it as improper for us to so express ourselves to our representatives in both houses of the Legislature.

With kindest expressions of regard for yourself, we sign ourselves,

Very respectfully,

R. R. Hopkins, M. D.
Thos. G. Duncan, M. D.
J. L. Lincecum, M. D.
W. L. Ward, M. D.
D. H. Braman, M. D.
E. M. Shaw, M. D.
Wesley A. Rape, M. D.
F. B. Shields, M. D.
Hugh W. Crouse, M. D.

Senator Hill offered a petition signed by D. T. Averett, district attorney of the Fifty-first Judicial District, and fifty other officers and citizens of Coke county, praying for the enactment of a law to quiet the title to lands granted by the State to railway companies, etc.

Read, and referred to Committee on Public Lands and Land Office.

Senator Mills offered the following petition:

Aquilla, Texas, February 24, 1903.

Hons. Pat Neff, Speaker of the House of Representatives; Seth Mills, J. S. Ainsworth and H. B. Terrell, House of Representatives, Austin, Texas.

GENTLEMEN: We, the undersigned citizens of Hill and McLennan counties, do hereby and herein most respectfully protest against the passage by the House of Senate bill No. 122, believing that its passage will sadly impair, if not destroy, the present local option law.

Therefore, we petition your honorable body to defeat the passage of said bill.

Numerously signed.

Senator Patteson offered the following petition:

Henrietta, Tex., January 31, 1903.

Hon. James Patteson, Senate Chamber, Austin, Texas.

DEAR SIR: I was today shown yours of January 28th to our mutual friend, Hon. J. A. Templeton, Sherman, Texas. Referring to same with thanks to you for your statement that you will look into the bill and if consistent will support same. What we want is a bill that is just and equitable to all and enable us small cowmen to move our stock to plains where we can own from one to four sections of land to graze our cattle on it. The way the law is now it is impossible to cross the quarantine line as the inspection is a fraud, as the inspectors are paid by big cattle companies and individuals whose interests are above the line. They don't want the country settled up with small cattlemen. They want all the land there is there. If we get an open season of sixty days it will

enable us to take our milk cows and work oxen with us when we go, and then we can stay; but as the law is now it is impossible for any one to take cattle across the line during the inspection season of sixty days. What we want is sixty days open season without inspection, as all inspection is a fraud of the very worst kind. Now, I do honestly believe that the inspectors are told by some one whose cattle to pass and to turn down all the rest.

In 1896, during November, I took a small bunch of cattle to Hall county, and again in 1897 I took 196 cattle to Hall county without inspection from Clay county, and the above cattle were very ticky at the time we loaded them on the cars. These cattle mixed with native cattle and there were no bad results. In 1898 the inspection law went into effect, and it gets worse and worse each year, until the last season it was next to impossible to get anything across the line. During the winter of 1901-1902 I moved 200 cattle from Rogers, Mills county, Oklahoma, to Wheeler county, Texas, that was ticky, without inspection. There was not any trouble about that nor was there any ticks found in the pasture during the spring or summer of 1902.

Hoping to get an open season without inspection for sixty days, and with best wishes for you and yours,

Yours very truly,

F. L. MILLER.

Senator Morris offered the following memorial:

Beaumont, Texas, February 23, 1903.

Hon. A. W. Morris, Senator, Austin, Texas.

MY DEAR SIR: Permit us, in the interest of the women and children and rising youth, the young married men, and in fact many others, to call your attention to the destruction, degradation and destitution that the pool rooms in Texas are bringing on the people.

While all gambling is bad, this seems to be the worst form of gambling, as it is done openly and above board, and seems to be very attractive.

There are about twelve or thirteen pool rooms in Texas, located in the larger cities. The people in the small towns and the country have not yet learned their damaging effects to the State at large. We are reliably informed that the Western Union Telegraph Company's receipts at Beaumont are worth \$250 per day to the company. Just think of that amount going out of one town for the benefit of a corporation entirely out of the State. We are also reliably informed that more than \$100,000 per year has gone out of Beaumont since the

two pool rooms started here. It is only recently that one of the pool room managers bought a hotel at Fort Worth, for which he paid \$75,000 spot cash. The life blood of the rising youth is being sapped. Many cases of abject charity are being traced to the pool rooms. We beg of you to do all that is possible to stop the pool rooms in Texas.

We understand that the bill introduced by Representative Curtis Hancock, of Dallas, is a good bill. We therefore beg you to try and have the bill passed and let it become a law at once—the quicker the pool rooms are stopped the better. We understand that there is an opposition bill which advocates the taxing of pool rooms, and in this connection beg to say that the State of Texas does not need money bad enough to fill the gamblers' pockets and rob the women and children; besides, if it comes to a question of taxation, the pool rooms could pay \$200 per day and still run and make a profit.

Trusting that you will lend all your energies in the direction of elevating the women and children and the rising youth of Texas in preference to the pool rooms and men who are breeding fast horses,

Yours very truly,
W. WIESS.

Senator Perkins offered the following:

Austin, Texas, February 19, 1903.

Senator J. I. Perkins, Senate Chamber.

DEAR SIR: Complying with your personal request for an expression of the Railroad Commission upon Senate bill No. 180, and asking if in our opinion the completion of the several lines of railroad to the points called for in their charters would conflict with the provision of the Constitution prohibiting the consolidation of parallel or competing lines of railroad, beg to say that so far as our information goes, and as per exhibit of the charters of said railroads, they have all been completed to the point called for in their charters, except the Fort Worth & Rio Grande Railway.

Attached hereto is a statement showing briefly points called for in the charters of said railroads, and the places to which constructed.

We beg to suggest one amendment to the bill. Amend Section 5, page 5, by adding thereto the following:

"Provided nothing herein shall be construed to validate any construction contract entered into by any of said companies prior to the passage of the 'Act to define franchises and to make public the value of railroads, and to make effective Section 6, Article 12, of the Constitution of the State of Texas, etc.,' ap-

proved April 8, 1893, being Chapter 14, Title XCIV, of the Revised Civil Statutes of 1895."

With the adoption of this amendment, we can see no objection to the bill.

Yours respectfully,

L. J. STOREY,
For Commission.

COMMITTEE REPORTS.

The following committee reports were offered:

JUDICIARY NO. 1.

Committee Room,

Austin, Texas, February 25, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 222, A bill to be entitled "An Act to secure evidence by depositions,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do pass*.

(Floor Report.)

HANGER, Chairman.

ROADS, BRIDGES AND FERRIES.

Committee Room,

Austin, Texas, February 25, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 127, A bill to be entitled "An Act to amend Chapter 22 of the General Laws of the State of Texas, passed at the First Called Session of the Twenty-seventh Legislature, amending Section 3, Chapter 75, Laws of the Regular Session of the Twenty-seventh Legislature, being the Grayson county road law,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do pass*.

FAULK, Chairman.

Committee Room,

Austin, Texas, February 25, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Roads, Bridges and Ferries, to whom was referred

Senate bill No. 215, A bill to be entitled "An Act to create a more efficient road system for Limestone county, Texas, and making county commissioners of said

county ex-officio road supervisors, and prescribing their duties as such, and providing for their compensation as road supervisors and defining the powers and duties of the commissioners court of said county, authorizing the issuance of bonds for road and bridge purposes, and providing for a levy of a road and bridge tax, and fixing a penalty for the violation of this act, and to repeal all laws in conflict with this act, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do pass*.

FAULK, Chairman.

ENGROSSED BILLS.

Committee Room,

Austin, Texas, February 25, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 180, A bill to be entitled "An Act to authorize the St. Louis, San Francisco & Texas Railway Company to purchase, own and operate, as a part of its line, the railroad of the Red River, Texas & Southern Railway Company, together with all its franchises, property, rights and privileges; the railroad of the Fort Worth & Rio Grande Railway Company, together with all its franchises, property, rights and privileges; the railroad of the Paris & Great Northern Railroad Company, together with all its franchises, property, rights and privileges; the railroad of the Blackwell, Enid & Texas Railway Company, together with all its franchises, property, rights and privileges; the railroad of the Oklahoma City & Texas Railroad Company, together with all its franchises, property, rights and privileges; or either or any such railroads, with all of its or their franchises, property, rights and privileges of every kind and character; and to authorize said companies, and each or any of them, to sell and convey all of its or their said railroads constructed or to be constructed, and all other properties, rights, franchises and privileges; and to authorize said St. Louis, San Francisco & Texas Railway Company to issue and negotiate its bond, secured or to be secured by mortgage or mortgages, to the amount of the value of the railways, franchises, property, rights and privileges so purchased, and to the amount of the value of any railroad hereafter constructed by it under the provisions of this act, as fixed, or as the same may be fixed, by the

Railroad Commission of Texas, and to regulate the reports of said property, and the operation thereof; and to authorize said St. Louis, San Francisco & Texas Railway Company to construct, own and operate as a part or parts of its line, the unfinished portion or portions of said railroads, or either or any of them between the termini as defined in their respective charters; and to construct, own and operate, as a part or parts of its line, all extensions and branches of said railroad, or either or any of them, under or as authorized in and by the charter of said St. Louis, San Francisco & Texas Railway Company, or any amendment thereof, made or to be made in pursuance of the General Laws of the State of Texas; and to prescribe the conditions upon which said purchase and sale shall take effect and be dependent; and to authorize said companies, and each of them, to execute all necessary contracts, agreements and conveyances to accomplish said purchases and sales."

And find the same correctly engrossed.
PATTESON, Chairman.

FINANCE.

Committee Room,

Austin, Texas, February 25, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Finance, to whom was referred

House bill No. 130, A bill to be entitled "An Act making appropriations for deficiencies in the appropriations heretofore made for the support of the State government from March 1, 1900, to August 31, 1903, being for claims registered in the Comptroller's office in accordance with law and for outstanding claims not registered, and for other deficiencies; and to make additional appropriations for the support of the State government for the year ending March 31, 1903."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do pass* with the following amendment, and that the bill be not printed:

Strike out all after the enacting clause and insert the following:

Section 1. Fees for court judges, etc., in examining trials year ending February 28, 1901:

Registered	\$ 253 85
Estimated	100 00
	<hr/>
	\$ 353 85

Fees for court judges, etc.,
in examining trials year end-
ing August 31, 1901:

Registered \$ 251 15
Estimated 100 00

\$ 351 45

Fees for county judges, etc.,
in examining trials year end-
ing August 31, 1902:

Registered \$22,522 35
Estimated 1,403 76

\$23,926 10

Fees attached witnesses year
ending February 28, 1901:

Registered \$ 55 89
Estimated 100 00

\$ 155 89

Fees attached witnesses year
ending August 31, 1901:

Registered \$ 442 74
Estimated 500 00

\$ 942 74

Expenses attached and sub-
poenaed witnesses year end-
ing August 31, 1902:

Registered \$39,177 38
Estimated 7,729 84

\$46,907 22

Salary special judges Au-
gust 31, 1902:

Registered \$ 3,641 48
Estimated 1,358 52

\$ 5,000 00

Fees and costs of sheriffs
year ending August 31, 1902:

Registered \$31,879 82
Estimated 7,339 18

\$39,219 00

Court Civil Appeals, First
District:

Registered.
Fuel, light and ice \$ 100 00
Postage, etc. 50 00
Books for law library 100 00

\$ 250 00

Court Civil Appeals, Second
District:

Registered.
To pay Geo. D. Barnard & Co.
for record books and sta-
tionery \$ 200 00
(Another account is out for
\$173.47) 173 47

\$ 373 47

Court Criminal Appeals:

Registered.
To pay Clarke & Courts, etc. . . \$ 71 80
\$ 71 80

Railroad Commission:

Registered.
Postage, etc., August 31, 1902. \$ 150 00
\$ 150 00

Live Stock Sanitary Com-
mission:

Registered.
For maintenance \$ 2,400 00
\$ 2,400 00

General Land Office:

Registered.
Vellum, etc. \$ 200 00
Telegraphing 20 00
Stationery 1,000 00
Contingent expenses 100 00
To pay W. D. Twitchell 409 20
\$ 1,809 20

Comptroller's Office:

Registered.
Postage, etc. \$ 657 97
Postage, etc. 50 00
\$ 707 97

State Orphans' Asylum:

Registered.
Fuel \$ 500 00
Postage 40 00
General maintenance 7,200 00
\$ 7,740 00

State Lunatic Asylum:

Registered.
Maintenance \$15,000 00
Dry goods, etc. 3,000 00
\$18,000 00

Southwest Texas Insane
Asylum:

Registered.
Maintenance \$ 5,000 00
\$ 5,000 00

Confederate Home:

Registered.
Maintenance, etc. \$11,000 00
Medicine 500 00
Repairs 500 00
\$12,000 00

Deaf, Dumb and Blind Asy-
lum:

Registered.
Groceries, etc. \$ 1,000 00
\$ 1,000 00

Public Grounds:	Buildings and	Registered.
Feed for teams.....		\$ 200 00
		\$ 200 00
Blind Asylum:		Registered.
Groceries, etc.		\$ 2,000 00
Transportation		200 00
Fuel		700 00
Water and light.....		250 00
General repairs		1,200 00
Dry goods, etc.....		600 00
Repairing furnaces, etc.....		500 00
		\$ 5,450 00
Miscellaneous:		
To refund liquor dealers li-		
cense, etc.		\$25,000 00
		\$25,000 00
Sec. 2. To embrace supplemental ap-		
propriations for the year ending August		
31, 1903:		
Judiciary:		
Fees of county judges.....		\$25,000 00
Expenses witnesses		50,000 00
Salary of special judges.....		5,000 00
Fees and costs of sheriffs....		40,000 00
		\$120,000 00
Court of Civil Appeals,		
First District:		
Fuel, etc.		\$ 100 00
Postage, etc.		50 00
Books for law library.....		100 00
		\$ 250 00
State Orphans' Asylum:		
Fuel (registered)		\$ 700 00
Postage, etc.		40 00
General maintenance		9,460 00
		\$10,000 00
Executive Mansion:		
Repairs, etc.		\$ 750 00
		\$ 750 00
Railroad Commission:		
Postage, etc.		\$ 200 00
		\$ 200 00
Live Stock Sanitary Com-		
mission:		
Maintenance		\$ 2,400 00
		\$ 2,400 00
Deaf and Dumb Asylum:		
Five extra teachers.....		\$ 2,100 00
		\$ 2,100 00

State Purchasing Agent:	
Salary, August 31, 1901.....	\$ 74 56
Contingent expenses	300 00
To pay Capital City Book Co.	38 69
	\$ 413 25
General Land Office:	
Vellum	\$ 200 00
Telegraphing	20 00
Stationery and books.....	1,000 00
Contingent expenses	100 00
	\$ 1,320 00
Comptroller's Office:	
Postage, telegraphing	\$ 1,000 00
Contingent expenses	50 00
	\$ 1,050 00
State Lunatic Asylum:	
Maintenance	\$15,000 00
Dry goods, etc.....	3,000 00
Transportation	200 00
	\$18,200 00
Southwestern Insane Asy-	
lum:	
Maintenance	\$ 8,000 00
Dry goods and clothing.....	2,000 00
	\$10,000 00
Blind Asylum:	
Groceries, etc.	\$ 2,000 00
Transportation	200 00
Fuel	700 00
Water and light.....	250 00
Dry goods and clothing.....	600 00
	\$ 3,750 00
Confederate Home:	
Maintenance	\$11,000 00
Medicine	500 00
Repairs and painting.....	500 00
To pay mileage and per diem	
of Board of Managers for	
attending monthly meetings	
of said board.....	600 00
	\$12,600 00
Deaf, Dumb and Blind Asy-	
lum for Colored Youths:	
Salary of Superintendent....	\$ 1,500 00
Salary of principal teacher...	675 00
Salaries of three class room	
teachers and one music	
teacher	1,800 00
Salary of instructor in broom-	
making and mattress-mak-	
ing	450 00
Salary of shoemaker.....	450 00
Salary of seamstress.....	300 00
Salary of matron.....	360 00
Salaries of laundress and one	
assistant	420 00
Salary of night watchman....	300 00
Salary of engineer and	
plumber	500 00

Salary of preceptress.....	270 00	To pay Volunteer Guard for actual service:	
Salary of cook and assistant..	500 00	Accrued	\$ 1,892 00
Salary of farmer and gardener	300 00	Estimated	1,000 00
Salary of monitor.....	270 00		\$ 2,892 00
Salary of assistant matron and poultry raiser for eight months	200 00		
Furniture	250 00	Sec. 3. The several claims mentioned in this bill shall be submitted to the Attorney General for his approval before being paid.	
Stationery, postage and printing	75 00	• Sec. 4. Whereas, there being no appropriation to pay claims against the State herein provided for which are outstanding and are legal claims against the State, creates an emergency and an imperative public necessity which justifies the suspension of the constitutional rule which requires bills to be read on three several days in each house, and this act shall take effect from and after its passage, and it is so enacted.	
Clothing for indigent pupils..	400 00	WILSON, Chairman.	
Apparatus	125 00	Morning call concluded.	
Transportation for indigent pupils	450 00	SENATE BILL NO. 70 SIGNED.	
Tools for shops.....	100 00	The chair (President Pro Tem. Davidson of DeWitt) gave notice of signing, and did sign in the presence of the Senate after its caption had been read.	
Repairs and general improvements	500 00	Senate bill No. 70, An Act to diminish the civil and criminal jurisdiction of the county court of Sutton county; to conform the jurisdiction of the district court thereto and to repeal all laws in conflict herewith.	
For groceries and miscellaneous, including pay of the Board and mileage.....	2,000 00	SPECIAL ORDER—SENATE BILL NO. 180.	
	\$12,195 00	The Chair laid before the Senate, special order for this hour, on its second reading,	
Public Buildings and Grounds:		Senate bill No. 180, A bill to be entitled "An Act to authorize the St. Louis, San Francisco & Texas Railway Company to purchase, own and operate as a part of its line, the railroad of the Red River, Texas & Southern Railway Company, together with all its franchises, property, rights and privileges; the railroad of the Fort Worth & Rio Grande Railway Company, together with all its franchises, property, rights and privileges; the railroad of the Paris & Great Northern Railroad Company, together with all its franchises, property, rights and privileges; the railroad of the Blackwell, Enid & Texas Railway Company, together with all its franchises, property, rights and privileges; and the railroad of the Oklahoma City & Texas Railroad Company, together with all its franchises, property, rights and privileges; or either or any such railroads, with all of its or their franchises, property, rights and privi-	
Feed for teams.....	\$ 200 00		
	\$ 200 00		
Miscellaneous:			
To pay organized counties the amounts due such counties on the unexpired leases of county school lands patented to such counties in cases where said lands were leased prior to the organization of such counties and the rental paid into the State treasury by lessees, payable out of the available school fund, to which fund such rentals have been credited.....	\$ 2,500 00		
To pay Warren W. Moore, district attorney Districts Nos. 26 and 53, out of the general revenue, commissions in judgment in cause No. 16,778, in district court of Travis county, and styled State of Texas vs. Harde- man County, said judgment being for the sum of \$5,000.	300 00		
For repairs and other expenses incident to the maintenance of the Governor's Mansion.	750 00		
	\$ 3,550 00		
For the purpose of distributing the new arms and equipments, and for the purpose of collecting the old arms and equipments to be returned to the U. S. government, the sum of \$700, or as much thereof as may be necessary	\$ 700 00		
	\$ 700 00		

leges of every kind and character; and to authorize said companies and each or any of them, to sell and convey all of its or their said railroads, constructed or to be constructed, and all other properties, rights, franchises and privileges, and to authorize said St. Louis, San Francisco & Texas Railway Company to issue and negotiate its bonds, secured or to be secured by mortgage or mortgages, to the amount of the value of the railways, franchises, property, rights and privileges so purchased, and to the amount of the value of any railroad hereafter constructed by it under the provisions of this act, as fixed, or as the same may be fixed by the Railroad Commission of Texas, and to regulate the reports of said property, and the operation thereof; and to authorize said St. Louis, San Francisco & Texas Railway Company to construct, own and operate as a part or parts of its line, the unfinished portion or portions of said railroads, or either or any of them, between the termini, as defined in their respective charters; and to construct, own and operate as a part or parts of its line, all extensions and branches of said railroads, or either or any of them, under or as authorized in and by the charter of said St. Louis, San Francisco & Texas Railway Company, or any amendment thereof, made or to be made in pursuance of the General Laws of the State of Texas; and to prescribe the conditions upon which said purchase and sale shall take effect and be dependent; and to authorize said companies, and each of them, to execute all necessary contracts, agreements and conveyances to accomplish said purchases and sales."

Senator Perkins offered the following amendment:

"Amend Section 5, page 5, by adding thereto the following: 'Provided nothing herein shall be construed to validate any construction contract entered into by any of said companies prior to the passage of the act; to define franchises and to make public the value of railroads, and to make effective Section 6, Article 12 of the Constitution of the State of Texas, etc., approved April 8, 1893, being Chapter 14, Title XCIV, of the Revised Civil Statutes of 1895.'"

The amendment was adopted.

Bill read second time, and ordered engrossed.

On motion of Senator Henderson, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—25.

Beaty.

Cain.

Davidson of	Hill.
DeWitt.	Lipscomb.
Douglass.	Martin.
Faulk.	McKamy.
Faust.	Mills.
Grinnah.	Morris.
Harper.	Patteson.
Hale.	Perkins.
Hanger.	Savage.
Harbison.	Sebastian.
Henderson.	Willacy.
Hicks.	Wilson.

Nays—1.

Brachfield.

Absent.

Davidson of	Faubion.
Galveston.	Paulus.
Decker.	Stafford.

The bill was read third time, and passed by the following vote:

Yeas—24.

Beaty.	Hill.
Cain.	Lipscomb.
Davidson of	Martin.
DeWitt.	McKamy.
Douglass.	Mills.
Faulk.	Morris.
Faust.	Patteson.
Grinnan.	Perkins.
Hale.	Savage.
Hanger.	Sebastian.
Harbison.	Willacy.
Henderson.	Wilson.
Hicks.	

Nays—2.

Brachfield. Harper.

Absent.

Davidson of	Faubion.
Galveston.	Paulus.
Decker.	Stafford.

Senator Henderson moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

BILLS ON FIRST READING.

The following bills were offered by unanimous consent:

By Senator Henderson:

Senate bill No. 219, A bill to be entitled "An Act to provide by statute for the salary and compensation of the employes of the General Land Office of the State of Texas for the fiscal year beginning September 1, 1903, and each year thereafter."

Read first time, and referred to Committee on Finance.

By Senator Mills:

Senate bill No. 220, A bill to be entitled "An Act to regulate the charge of the

district judge to the jury on trial of causes in said court, and to provide for bills of exception thereto."

Read first time, and referred to Judiciary Committee No. 2.

By Senators Beaty and Lipscomb:

Senate bill No. 221, A bill to be entitled "An Act to amend Chapter 19, of the Acts of the First Called Session of the Twenty-fifth Legislature, approved July 3, 1897, relating to the attendance and pay of attached witnesses and fees of sheriffs for executing attachments issued from the district courts."

Read first time, and referred to Judiciary Committee No. 2.

By Senator Perkins:

Senate bill No. 222, A bill to be entitled "An Act to secure evidence by depositions."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Brachfield:

Senate bill No. 223, A bill to be entitled "An Act to extend the time in which railroad companies heretofore authorized to purchase or sell their lines of railroads, franchises, etc., since April 1, 1901, but requiring such railroad companies as a condition precedent to such sale or conveyance to construct additional mileage may comply with the terms of said requirements, and providing that it shall be a sufficient compliance with the terms of said act or acts if such railroad company or companies construct or cause to be constructed the additional mileage heretofore required within two years after the passage of this act, and declaring an emergency."

Read first time, and referred to Committee on Internal Improvements.

FIRST HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, February 25, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: I am directed by the House to inform the Senate that the House has concurred in the Senate amendments to House Concurrent Resolution No. 8, and appointed the following committeemen on part of the House:

Messrs. Bridgers, Onion, Rice, Knight and Duff.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

SECOND SPECIAL ORDER—SENATE BILL NO. 33.

The Chair laid before the Senate, on hird reading, special order for this our,

Senate bill No. 33, A bill to be entitled "An Act to amend Articles 402, 403, 404, 405, 406 and 407, of Chapter 6, Title XI, Penal Code, and add thereto Article 407a relating to unlawfully selling any intoxicating liquor."

Senator Mills offered the following amendment:

"Amend page 2, line 32, of the printed bill by striking out the word 'month,' and insert 'every six months.'"

The amendment was lost by the following vote:

Yeas—12.

Beaty.	Harper.
Cain.	Hill.
Douglass.	Martin.
Faust.	Mills.
Hanger.	Morris.
Harbison.	Willacy.

Nays—12.

Brachfield.	Hicks.
Davidson of	Lipscomb.
DeWitt.	McKamy.
Faulk.	Patteson.
Grinnan.	Perkins.
Hale.	Savage.
Henderson.	

Present—Not voting.

Sebastian.

Absent.

Davidson of	Paulus.
Galveston.	Stafford.
Decker.	Wilson.
Faubion.	

The bill was read third time, and passed.

Senator Harper moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

SPECIAL ORDER FOR FRIDAY, FEBRUARY 27TH.

On motion of Senator Hanger,

Senate bill No. 161, A bill to be entitled "An Act to authorize the Chicago, Rock Island & Gulf Railway Company to purchase, own and operate, as a part of its line, the railroad of the Chicago, Rock Island & Texas Railway Company, together with all its franchises, property, rights and privileges; the railroad of the Chicago, Rock Island & Mexico Railway Company, together with all its franchises, property, rights and privileges, and the railroad of the Choctaw, Oklahoma & Texas Railroad Company, together with all its franchises, property, rights and privileges; or either or any of such railroads, with all of its or their franchises, property, rights and

privileges of every kind and character; and to authorize the owners of each of said railroads and the franchises, property, rights and privileges of every kind and character, to sell and convey the same; and to authorize said, The Chicago, Rock Island & Gulf Railway Company to issue and negotiate its bonds, secured or to be secured by a mortgage or mortgages, to the amount of the value of the railroads, franchises, property, rights and privileges so purchased, and to the amount of the value of any railroad hereafter constructed by it under the provisions of this act, as fixed, or as same may be fixed, by the Railroad Commission of Texas, and to regulate the reports of said property, and the operation thereof; and to authorize said, The Chicago, Rock Island & Gulf Railway Company to construct, own and operate, as a part or parts of its line the unfinished portion or portions of said railroads, or either of them, between the termini, as defined in their respective charters; and to construct, own and operate as a part or parts of its line all extensions and branches of said railroads, or either of them, under or as authorized in and by the charter of said The Chicago, Rock Island & Gulf Railway, or any amendment thereof, made or to be made in pursuance of the General Laws of the State of Texas; and to prescribe the conditions upon which said purchase and sales shall take effect and be dependent; and to authorize said companies, and each of them, to execute all necessary contracts, agreements and conveyances to accomplish said purchase and sales."

Was made a special order for Friday, February 27th, after morning call.

SPECIAL ORDER (SENATE BILL NO. 175) SUSPENDED.

On motion of Senator Hale, special order of business (Senate bill No. 175) was suspended, and the Senate took up, out of its order, Senate bill No. 128.

The Chair laid before the Senate, on its second reading,

Senate bill No. 128, A bill to be entitled "An Act to provide for a survey of the Brazos river and its principal tributaries, preparing maps, profiles, plans, plots, estimates, etc., from its mouth to Waco, Texas, and making an appropriation therefor."

Bill was read second time, and ordered engrossed.

Senator Hale moved that the constitutional rule requiring bills to be read on three several days be suspended and the bill put on its third reading and final passage.

The motion was lost by the following vote:

Yeas—17.

Beaty.	Henderson.
Davidson of	Hill.
DeWitt.	Lipscomb.
Douglass.	McKamy.
Faulk.	Mills.
Hale.	Patteson.
Hanger.	Sebastian.
Harbison.	Willacy.
Harper.	Wilson.

Nays—8.

Brachfield.	Martin.
Cain.	Morris.
Faust.	Perkins.
Grinnan.	Savage.

Absent.

Davidson of	Hicks.
Galveston.	Paulus.
Decker.	Stafford.
Faubion.	

SENATE BILL NO. 196.

Senator Harbison moved that special order of business (Senate bill No. 175) be suspended, and the Senate take up, out of its order, Senate bill No. 196.

The motion prevailed by the following vote:

Yeas—17.

Cain.	Harper.
Davidson of	Hicks.
DeWitt.	Lipscomb.
Douglass.	McKamy.
Faust.	Morris.
Grinnan.	Patteson.
Hale.	Perkins.
Hanger.	Savage.
Harbison.	Sebastian.

Nays—8.

Beaty.	Hill.
Brachfield.	Martin.
Faulk.	Mills.
Henderson.	Willacy.

Absent.

Davidson of	Paulus.
Galveston.	Stafford.
Decker.	Wilson.
Faubion.	

The Chair laid before the Senate, on its second reading,

Senate bill No. 196, A bill to be entitled "An Act to better define the qualification of voters; to prescribe the duties of officers of election, and to make it a penal offense to use or attempt to use for the purpose of enabling one to vote a poll tax receipt issued for another, and to fix a penalty therefor."

Senator Harbison moved that the bill be made special order for tomorrow morning after morning call.

The motion prevailed.

HOUSE CONCURRENT RESOLUTION NO. 10 SIGNED.

The Chair (President Pro Tem. Davidson of DeWitt) gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read:

House Concurrent Resolution No. 10:

Whereas, The national government at Washington has annually made appropriations for continuing the work at Aransas Pass, on the coast of Texas, for the purpose of deepening the water in the channel of said pass; and

Whereas, There now exists an available fund for such purpose of two hundred and fifty thousand dollars (\$250,000), the same lying idle, much to the detriment of the commerce of the State of Texas; therefore, be it

Resolved by the House of Representatives, the Senate concurring, That we do hereby request and urge upon our representatives in the House and Senate of the United States Congress at Washington the urgent necessity of the speedy application of the said fund in the prosecution of the work for which said fund was appropriated.

'SENATE BILL NO. 175—SPECIAL ORDER.

Senator Douglas moved that Senate bill No. 175, special order for the hour, be postponed until next Friday morning after the conclusion of the morning call.

The motion was lost by the following vote:

Yeas—9.

Brachfield.	Faust.
Cain.	Hicks.
Davidson of	Perkins.
DeWitt.	Savage.
Douglass.	Willacy.

Nays—16.

Beaty.	Hill.
Faulk.	Lipscomb.
Grinnan.	Martin.
Hale.	McKamy.
Hanger.	Mills.
Harbison.	Morris.
Harper.	Patteson.
Henderson.	Wilson.

Absent.

Davidson of	Paulus.
Galveston.	Sebastian.
Decker.	Stafford.
Faubion.	

(Senator Willacy in the chair.)

RECESS.

Senator Hale moved that the Senate take a recess until 3 o'clock p. m.

The motion prevailed, and accordingly the Senate, at 12:30 p. m., recessed until 3 o'clock p. m.

AFTER RECESS.

PRIVILEGED MOTION.

Senator Brachfield called up

Senate bill No. 90, A bill to be entitled "An Act to provide a charter for the city of Marshall, Harrison county, Texas; defining its boundaries; providing officers, and prescribing their duties and powers; creating a corporation court, and defining its powers and jurisdiction, and declaring an emergency,"

For the purpose of concurring in the following House amendments:

"Amend Section 4, after the word 'council,' in first line, by adding the words 'without a vote of the people'; also amend Section 5 under head of 'Taxation,' in first line after the word 'council,' by adding the words 'without a vote of the people.'"

The Senate concurred in the amendments.

SENATE BILL NO. 175—SPECIAL ORDER.

The Chair laid before the Senate, on its second reading,

Senate bill No. 175, A bill to be entitled "An Act to amend Sections 4, 5, 6, 8 and 13, of Chapter 12, of the Laws of the Twenty-seventh Legislature, which became effective on the 9th day of July, 1901,"

Question being on the adoption of the following amendment offered by Senators McKamy, Hanger and Savage:

"Amend by adding after the word 'midwife,' in line 27, the following: 'Provided, that the provisions of this act do not apply to persons treating disease who do not prescribe or give drugs or medicine.'"

Senator Savage offered the following substitute for the foregoing amendment:

"Provided, that the provisions of this act shall not apply to any person of good moral character holding a diploma from a legally incorporated and regularly conducted college of osteopathy of good repute as such, wherein the course of study comprises a term of twenty months of four terms of five months each in actual attendance at such school and shall include instruction in at least the following branches, to wit: Anatomy, physiology, hygiene and theory and practice of osteopathy, chemistry, surgery, histol-

ogy, pathology, gynecology and obstetrics, who, on presentation of such diploma to the State Board of Osteopathic Examiners, hereinafter provided for, and satisfying such board that he or she is the legal holder thereof, shall upon the payment to the board of a fee of fifteen dollars be given by the said board a certificate granting authority to such person to practice osteopathy in the State of Texas, to sign birth and death certificates, but shall not entitle to use or prescribe drugs internally, which certificate shall be recorded by the recorder of the county in which the holder desires to practice, for which a fee of one dollar shall be paid. Said Board of Osteopathic Examiners to be appointed by the Governor by ———, 1903, on recommendation of the trustees of the Texas Osteopathic Association, and to consist of nine members, to hold office for two successive years; said board to arrange its own dates of meeting, to have its own seal, and to provide for its own expenses from the fees received, and to create no expense to the State in excess of same, and to have full power to determine the eligibility of applicants for certificates, and to revoke its certificates for cause; provided also, that any person practicing or pretending to practice osteopathy in the State of Texas without first having complied with the requirements of this amendment and been granted a certificate by the State Board of Osteopathic Examiners shall be deemed guilty of a misdemeanor and upon conviction be fined not less than fifty dollars nor more than one hundred dollars for each offense, except that persons practicing osteopathy in this State prior to this act may be granted a certificate after passing an examination in the above named branches satisfactory to the board; provided further, that the board shall be appointed in the same manner as the other medical boards are now appointed."

Senator Henderson made a point of order that the substitute was not germane to the foregoing amendment.

The Chair overruled the point of order.

Senator Hanger moved to table the substitute.

The motion to table was lost by the following vote:

Yeas—13.

Beaty.	Harper.
Faulk.	Hill.
Faust.	Martin.
Grinnan.	McKamy.
Hale.	Patteson.
Hanger.	Wilson.
Harbison.	

Nays—13.

Brachfield.	Cain.
-------------	-------

Davidson of	Mills.
DeWitt.	Morris.
Douglass.	Perkins.
Henderson.	Savage.
Hicks.	Sebastian.
Lipscomb.	Willacy.

Absent.

Davidson of	Faubion.
Galveston.	Paulus.
Decker.	Stafford.

Senator Hanger moved the previous question upon the substitute, which, being duly seconded, was ordered.

The substitute amendment to the foregoing amendment was lost by the following vote:

Yeas—11.

Brachfield.	Morris.
Cain.	Perkins.
Davidson of	Savage.
DeWitt.	Sebastian.
Douglass.	Willacy.
Hicks.	Wilson.

Nays—15.

Beaty.	Henderson.
Faulk.	Hill.
Faust.	Lipscomb.
Grinnan.	Martin.
Hale.	McKamy.
Hanger.	Mills.
Harbison.	Patteson.
Harper.	

Absent.

Davidson of	Faubion.
Galveston.	Paulus.
Decker.	Stafford.

Senator Douglass offered the following amendment to the original amendment: "Provided no charge is made for their services."

Senator Hanger moved to table the amendment.

The motion to table prevailed.

Senator Hanger moved the previous question on the amendment.

Upon this motion Senator Savage moved a call of the Senate, which call being duly seconded, the roll was called, the following Senators answering to their names:

Beaty.	Harbison.
Brachfield.	Harper.
Cain.	Henderson.
Davidson of	Hicks.
DeWitt.	Hill.
Douglass.	Lipscomb.
Faulk.	Martin.
Faust.	McKamy.
Grinnan.	Mills.
Hale.	Morris.
Hanger.	Patteson.

Savage.
Sebastian.

Willacy.
Wilson.

Absent.

Davidson of Faubion.
Galveston. Paulus.
Decker. Stafford.

Senator Hanger moved to excuse the absentees as shown by the foregoing roll call.

The motion was lost by the following vote:

Yeas—16.

Beaty. Henderson.
Faulk. Hill.
Faust. Lipscomb.
Grinnan. Martin.
Hale. McKamy.
Hanger. Mills.
Harbison. Patteson.
Harper. Willacy.

Nays—9.

Brachfield. Hicks.
Cain. Morris.
Davidson of Perkins.
DeWitt. Savage.
Douglass. Sebastian.

Absent.

Davidson of Paulus.
Galveston. Stafford.
Decker. Wilson.
Faubion.

Senator Hanger moved that the Sergeant-at-Arms be instructed to bring in the absent members.

The motion prevailed.

REGULAR ORDER.

The Chair laid before the Senate, on its third reading,

House bill No. 22, A bill to be entitled "An Act to amend Article 2366 of the Revised Civil Statutes of the State of Texas of 1895, and to repeal Article 2367 of said statute fixing the manner of advertising sales of real estate and under execution, etc."

Senator Mills moved to excuse the absentees.

The motion was lost by the following vote:

Yeas—16.

Beaty. Henderson.
Faulk. Hill.
Faust. Lipscomb.
Grinnan. Martin.
Hale. McKamy.
Hanger. Mills.
Harbison. Patteson.
Harper. Willacy.

23—S

Nays—9.

Brachfield. Hicks.
Cain. Morris.
Davidson of Perkins.
DeWitt. Savage.
Douglass. Sebastian.

Absent.

Davidson of Paulus.
Galveston. Stafford.
Decker. Wilson.
Faubion.

HOUSE BILL NO. 22.

Action recurring on House bill No. 22, The bill was read third time, and passed.

Senator Savage moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

REGULAR ORDER OF BUSINESS— HOUSE BILL NO 30.

The Chair laid before the Senate, on its third reading,

House bill No. 30, A bill to be entitled "An Act to prescribe the time within which statements of fact and bills of exception may be filed in causes tried in the district and county courts of Texas."

Bill was read third time, and passed.

Senator Hanger moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

REGULAR ORDER—HOUSE BILL NO. 97.

The Chair laid before the Senate, on its third reading,

House bill No. 97, A bill to be entitled "An Act to transfer Red River county from the community school system to the district school system, and to authorize and empower said county to organize and conduct all its public free schools under the district school system as provided by law now in force."

Bill was read third time, and passed.

Senator Lipscomb moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SPECIAL ORDER—THURSDAY.

Senator Willacy moved that

Senate bill No. 158, A bill to be entitled "An Act to amend Article 643 of the Revised Statutes of the State of Texas, prescribing what must be set forth in

the charter of a domestic corporation," be made a special order for Thursday morning after the conclusion of the morning call.

The motion prevailed.

Senator Mills moved that the Senate adjourn until 10 o'clock tomorrow morning.

The motion was lost by the following vote:

Yeas—9.

Brachfield.	Hicks.
Davidson of	Lipscomb.
DeWitt.	Mills.
Douglass.	Sebastian.
Faust.	Willacy.

Nays—16.

Beaty.	Henderson.
Cain.	Hill.
Faulk.	Martin.
Grinnan.	McKamy.
Hale.	Morris.
Hanger.	Patteson.
Harbison.	Perkins.
Harper.	Savage.

Absent.

Davidson of	Paulus.
Galveston.	Stafford.
Decker.	Wilson.
Faubion.	

HOUSE BILL NO. 14—REGULAR ORDER.

The Chair laid before the Senate, on its second reading,

House bill No. 14, A bill to be entitled "An Act providing for the extension of the corporate limits of any town or village incorporated for free school purposes only."

The bill was read second time, and passed to a third reading.

On motion of Senator Douglass, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—25.

Beaty.	Henderson.
Brachfield.	Hicks.
Cain.	Hill.
Davidson of	Lipscomb.
DeWitt.	Martin.
Douglass.	McKamy.
Faulk.	Mills.
Faust.	Morris.
Grinnan.	Patteson.
Hale.	Perkins.
Hanger.	Savage.
Harbison.	Sebastian.
Harper.	Willacy.

Absent.

Davidson of	Paulus.
Galveston.	Stafford.
Decker.	Wilson.
Faubion.	

Senator Harbison offered the following amendment:

"Amend the bill by adding in line 30, after the word 'annexed,' the following: 'Provided, that said territory proposed to be added must be contiguous to one line of said corporation.'"

The amendment was adopted by the following vote:

Yeas—25.

Beaty.	Henderson.
Brachfield.	Hicks.
Cain.	Hill.
Davidson of	Lipscomb.
DeWitt.	Martin.
Douglass.	McKamy.
Faulk.	Mills.
Faust.	Morris.
Grinnan.	Patteson.
Hale.	Perkins.
Hanger.	Savage.
Harbison.	Sebastian.
Harper.	Willacy.

Absent.

Davidson of	Paulus.
Galveston.	Stafford.
Decker.	Wilson.
Faubion.	

Bill was read third time, and passed by the following vote:

Yeas—19.

Brachfield.	Harbison.
Cain.	Harper.
Davidson of	Hicks.
DeWitt.	Lipscomb.
Douglass.	Martin.
Faulk.	Mills.
Faust.	Morris.
Grinnan.	Perkins.
Hale.	Sebastian.
Hanger.	Willacy.

Nays—6.

Beaty.	McKamy.
Henderson.	Patteson.
Hill.	Savage.

Absent.

Davidson of	Paulus.
Galveston.	Stafford.
Decker.	Wilson.
Faubion.	

ADJOURNMENT.

Senator Hanger moved that the Senate adjourn until 10 o'clock tomorrow morning.

The motion prevailed by the following vote:

Yeas—21.

Beaty.	Hill.
Brachfield.	Lipscomb.
Cain.	Martin.
Douglass.	McKamy.
Faust.	Mills.
Grinnan.	Morris.
Hale.	Patteson.
Hanger.	Perkins.
Harbison.	Sebastian.
Harper.	Willacy.
Henderson.	

Nays—3.

Faulk.	Savage.
Hicks.	

Present—Not voting.

Davidson of
DeWitt.

Absent.

Davidson of	Paulus.
Galveston.	Stafford.
Decker.	Wilson.
Faubion.	

TWENTY-EIGHTH DAY.

Senate Chamber,
Austin, Tex., Thursday, Feb. 26, 1903.

Senate met pursuant to adjournment.

President Pro Tem. Davidson of DeWitt in the chair.

Roll call. Quorum present, the following Senators answering to their names:

Beaty.	Henderson.
Brachfield.	Hicks.
Cain.	Hill.
Davidson of	Lipscomb.
DeWitt.	Martin.
Davidson of	McKamy.
Galveston.	Mills.
Decker.	Morris.
Douglass.	Patteson.
Faulk.	Paulus.
Faust.	Perkins.
Grinnan.	Savage.
Hale.	Sebastian.
Hanger.	Willacy.
Harbison.	Wilson.
Harper.	

Absent.

Faubion. Stafford.

ROLL CALL OF OFFICERS AND EMPLOYEES.

Present.

Clyde D. Smith.
W. E. DeLamar.
R. M. Gilmore.

Amos Wynne.
W. M. Cobb.
Eldred McKinnon.
Mrs. Laura V. Grinnan.
F. P. Smith.
Miss Lucy Lane.
C. H. Allen.
D. F. Hughes.
Frank Mullins.
C. J. Kirk.
Rev. I. S. Davenport.
Miss May Fant Odom.
J. C. Son.
Miss Georgia Sturgiss.
Mrs. Hattie Yarbrough.
Miss Hope H. Hawkins.
Miss Emily Holcomb.
Mrs. J. R. Van Orden.
Miss Bessie Goldstein.
W. T. Pace.
W. A. Shaw, Jr.
Lucien Goss.
J. A. Chaffe.
Charlie Lane.
Willie Gibson.
Henry Paulus.
Evetts Thornhill.
Walter Savage.
Jas. Sebastian.
Willie Gray.
Jamie Snipes.
Ed Underhill.
John Durst.
Will Bartley.
Reed Pierson.
Dan Edwards.
Josh Pyles.
Ellis Monroe.
Albert Hill.
Mark Marsh.

Prayer by the Chaplain, Rev. I. S. Davenport.

Pending the reading of the Journal of yesterday,

On motion of Senator Harbison, the same was dispensed with.

FIRST HOUSE MESSAGE.

Hall of the House of Representatives.
Austin, Texas, February 26, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: I am directed by the House to inform the Senate that the House has passed the following bills:

House bill No. 18, A bill to be entitled "An Act to amend Article 1114, Title XV, Chapter 3, of the Code of Criminal Procedure of the State of Texas," amending the law so as to provide for the pay of special veniremen who are not accepted as jurors in the case in which they are summoned."

House bill No. 15, A bill to be entitled "An Act to prevent coercion, force or